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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,638	08/25/2003	Carl Razza	5620-002	2522
20575 7590 08/23/2007 MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			EXAMINER MURRAY, DANIEL C	
			ART UNIT 2143	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.		Applicant(s)	
	10/647,638		RAZZA ET AL.	
	Examiner		Art Unit	
	Daniel Murray		2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30MAY2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25JUN2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Action is in response to Applicant's amendment filed on 30MAY2007. **Claims 1-33** are now pending in the present application. **This Action is made FINAL.**

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because **the drawings are labeled by hand and are considered informal**. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 3-11, 14-19, 22-27, and 29-33** are rejected under 35 U.S.C. 102(e) as being anticipated by **Billington et al. (US Patent # US 7,103,760 B1)**.

a) Consider **claim 1**, Billington et al. clearly show and disclose, a thin client device for use in a home network comprising (figure 11, figure 12, column 13 lines 57-60, column 14 lines 17-40): a

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network port configured to connect the thin client device to the home network (figure 1, column 6 lines 43-62, column 7 lines 66-67, column 8 lines 1-3); and a data/memory port, coupled to the network port (figure 1, column 6 lines 43-62, column 7 lines 66-67, column 8 lines 1-3); whereby data available at the data/memory port is transferred to the home network via the network port (abstract, column 3 lines 18-23, column 7 lines 66-67, column 8 lines 1-3, column 13 lines 25-29).

b) Consider **claim 3**, and **as applied to claim 1 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1, further including: a controller, coupled to the network port and the data/memory port (figure 11, column 3 lines 54-63, column 13 lines 19-25 lines 43-51); a control interface, coupled to the controller, and configured to receive commands to control transfer of data from the data/memory port to the home network (figure 11, column 3 lines 54-63, column 13 lines 19-25 lines 43-51).

c) Consider **claim 4**, and **as applied to claim 1 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1, further including a signal processing apparatus configured to process the data available at the data/memory port (figure 1, column 3 lines 18-23, column 6 lines 43-49, column 13 lines 25-29).

d) Consider **claim 5**, and **as applied to claim 1 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1 wherein, the data/memory port is a memory card interface (figure 1, column 2 lines 64-67, column 3 lines 1-3, column 5 lines 21-32).

e) Consider **claim 6**, and **as applied to claim 1 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1 wherein, the data/memory port is a data communications port (figure 1, column 7 lines 66-67 column 8 lines 1-3, column 13 lines 25-29).

f) Consider **claim 7**, and **as applied to claim 1 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1 wherein, the thin client device is integrated with

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a digital versatile disc (DVD) player (column 2 lines 64-67, column 3 lines 1-3, column 5 lines 21-32, column 7 lines 36-43, column 14 lines 28-33).

g) Consider **claim 8**, and **as applied to claim 1 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1 wherein, the thin client device is integrated with a television set-top box (inherently taught by Billington et al. in a home environment with an entertainment center including a television could obviously include a set-top box)(column 14 lines 8-12, lines 28-33).

h) Consider **claim 9**, and **as applied to claim 1 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1 wherein, the thin client device is integrated with a television receiver (column 14 lines 8-12, lines 28-33).

i) Consider **claim 10**, and **as applied to claim 1 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1 wherein, the thin client device is integrated with a compact disc (CD) player (column 2 lines 64-67, column 3 lines 1-3, column 5 lines 21-32, column 7 lines 36-43, column 14 lines 28-33).

j) Consider **claim 11 and 19**, Billington et al. clearly show and disclose, a method comprising: reading data stored on a memory device coupled to a data port of a thin client on a network (figure 1, abstract, column 2 lines 64-67, column 3 lines 1-3 lines 18-23, column 5 lines 21-32, column 7 lines 66-67, column 8 lines 1-3, column 13 lines 25-29); and transferring the data read from the memory device to a server on the network (abstract, column 3 lines 18-23, column 7 lines 66-67 column 8 lines 1-3, column 13 lines 25-29).

k) Consider **claim 14 and 22**, and **as applied to claim 11 and 19 above**, Billington et al. clearly show and disclose, the method of claim 11 and 19 further comprising: requesting the

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processing of the data at the server (column 5 lines 51-67, column 6 lines 1-2, column 13 lines 19-29 lines 57-60).

l) Consider **claim 15 and 23**, and **as applied to claim 11 and 19 above**, Billington et al. clearly show and disclose, the method of claim 11 and 19. However, Billington et al does not specifically disclose requesting the archiving of the data read from the memory device at a hard disk drive located in the server after transferring (column 2 lines 64-67 column3 lines 1-3 lines 10-23).

m) Consider **claim 16 and 24**, and **as applied to claim 11 and 19 above**, Billington et al. clearly show and disclose, the method of claim 11 and 19 where transferring the data read from the memory device includes wireless transfer of the data read from the memory device to the server on the network (figure 1, column2 lines 64-67, column 3 lines 1-3 lines 10-23, column 5 lines 51-67, column 6 lines 43-62, column 7 lines 59-65).

n) Consider **claim 17 and 25**, and **as applied to claim 11 and 19 above**, Billington et al. clearly show and disclose, the method of claim 11 and 19 further comprising: displaying the data read from the memory device as images on a display (inherently taught by Billington wherein data can be transferred between at least two devices a user interface (a monitor) and a memory device)(figure 11, abstract, column 2 lines 49-56 lines 64-67, column 3 lines 1-3, column 13 lines 19-29 lines 43-51); transferring the at least one image to the server responsive to at least one displayed image being selected (inherently taught by Billington et al. where data comprised of visual information can be transferred to and from storage, i.e. between a memory device and server by using a keyboard or mouse)(figure 11, column 2 lines 49-56 lines 64-67 and column3 lines 1-3, column 13 lines 19-29 lines 43-51); and requesting the storing of the at least one displayed image on the server after transferring (figure 1, column 1 lines 28-29, column 2 lines 7-12 lines 49-56 lines 64-66, column 3 lines 18-23).

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o) Consider **claim 18 and 26**, and **as applied to claim 17 and 25 above**, Billington et al. clearly show and disclose, the method of claim 17 and 25 further comprising: requesting the transfer of the at least one image from the server to the thin client after storing the at least one image on the server (Billington et al. teaches data comprising visual information, i.e. images, serves connected to thin clients via a network, and data transfers from storage)(figure 1, column 1 lines 28-29, column 2 lines 7-12 lines 49-56 lines 64-66, column 3 lines 18-23).

p) Consider **claim 27**, Billington et al. clearly show and disclose, a thin client comprising: means for configuring a network port to connect the thin client to a home network (figure 1, figure 11, column 3 lines 54-63, column 6 lines 43-62, column 7 lines 66-67, column 8 lines 1-3, column 13 lines 19-25 lines 43-51); and means for transferring data stored in a memory device coupled to a data port to the home network via the network port (figure 1, abstract, column 3 lines 18-23, column 7 lines 66-67, column 8 lines 1-3, column 13 lines 25-29).

q) Consider **claim 29**, and **as applied to claim 27 above**, Billington et al. clearly show and disclose, the thin client of claim 27 comprising: means for controlling the thin client coupled to the network port and the data port (figure 11, column 3 lines 54-63, column 13 lines 19-25 lines 43-51); means for receiving commands to control transfer of data from the data port to the home network (figure 11, column 3 lines 54-63, column 13 lines 19-25 lines 43-51).

r) Consider **claim 30**, and **as applied to claim 27 above**, Billington et al. clearly show and disclose, the thin client of claim 27 comprising means for processing the data available at the data port (figure 1, column 3 lines 18-23, column 6 lines 43-49, column 13 lines 25-29).

s) Consider **claim 31**, and **as applied to claim 27 above**, Billington et al. clearly show and disclose, the thin client of claim 27 where the thin client is integrated with a digital versatile disc

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(DVD) player (column 2 lines 64-67, column 3 lines 1-3, column 5 lines 21-32, column 7 lines 36-43, column 14 lines 28-33).

t) Consider **claim 32**, and **as applied to claim 27 above**, Billington et al. clearly show and disclose, the thin client of claim 27 where the thin client is integrated with a television set-top box (inherently taught by Billington et al. in a home environment with an entertainment center including a television could obviously include a set-top box)(column 14 lines 8-12, lines 28-33).

u) Consider **claim 33**, and **as applied to claim 27 above**, Billington et al. clearly show and disclose, the thin client of claim 27 where the client is integrated with a television receiver (column 14 lines 8-12, lines 28-33).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was

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commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. **Claims 2 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Billington et al. (US Patent # US 7,103,760 B1)** in view of **Konetski et al (US Patent Publication # US 2002/0103880 A1)**.

a) Consider **claim 2 and 28**, and **as applied to claim 1 and 27 above**, Billington et al. clearly show and disclose, the thin client device according to claim 1 and 27. However, Billington et al does not specifically disclose the thin client device is configured to automatically transfer data from the data/memory port to a server coupled to the network port.

Konetski et al. show and disclose a system for using resources of a computer system in conjunction with a thin media client wherein the computer system may retrieve content based on a signal generated by software either at the thin media client or the computer system (figure 1, paragraph [0001], paragraph [0014]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Konetski et al. into the system of Billington et al. for the purpose of having the computer retrieve the content (paragraph [0014] lines 15-19).

Claims 12, 13, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Billington et al. (US Patent # US 7,103,760 B1)** in view of **Konetski et al (US Patent Publication # US 2002/0103880 A1)** in further view of **Chrabaszcz (US patent # US 6,212,585 B1)**.

a) Consider **claim 12, 13, 20, and 21**, and **as applied to claim 11 and 19 above**, Billington et al. clearly shows and discloses, the method of claim 11 and 19. However, Billington et al does not specifically disclose automatically reading the data stored on the memory device responsive to automatically detecting and automatically detecting that the memory device is coupled to the data port.

Konetski et al. show and disclose a system for using resources of a computer system in conjunction with a thin media client wherein the computer system may retrieve content based on a signal generated by software either at the thin media client or the computer system (figure 1, paragraph [0001], paragraph [0014]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Konetski et al. into the system of Billington et al. for the purpose of having the computer retrieve the content (paragraph [0014] lines 15-19).

However, Billington et al. as modified by Konetski et al. does not specifically disclose automatically detecting that the memory device is coupled to the data port.

Chrabaszcz shows and discloses automatically configuring a server system after a device has been hot added (figure 6, abstract, column 14 lines 5-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Chrabaszcz into the system of Billington et al. as

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modified by Konetski et al. for the purpose of automatically detecting and hot added device. (figure 6, abstract, column 14 lines 5-15).

Response to Arguments

9. Applicant's arguments with respect to **claims 1-33** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. This Action is in response to Applicant's amendment filed on 30MAY2007. **Claims 1-33** are now pending in the present application. **This Action is made FINAL.**

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Billington et al. (US Patent Publication # US 2004/0024928 A1) disclose: "Wireless Ultra-thin Client Network System"
- Janik (US Patent Publication # US 2002/0013852 A1) discloses: "System for Providing Content, Management, and Interactivity for Thin Client Devices"
- Ozaki et al. (US Patent # 5,933,478) disclose: "Data transfer and Handheld Terminal Device Therefor"
- Chase, Jr. (US Patent # 5,974,238) discloses: "Automatic Data Synchronization Between a Handheld and a Host Computer Using Pseudo Cache Including Tags and Logical Data Elements"
- Brockway et al. (US Patent # US 6,789,111 B1) disclose: "Automatic Detection and Installation of Client Peripheral Devices by a Server"
- Motoyama et al. (US Patent Publication # 2005/0278442 A1) disclose: "Creating Devices to Support a Variety of Model of Remote Diagnostics from various Manufacturers"
- Redford et al. (US Patent Publication # US 2001/0018737 A1) disclose: "Host Device Equipped with Means for Starting a Process in Response to Detecting Insertion of a Storage Media"
- Brown et al. (US Patent # 4,246,637) disclose: "Data Processor Input/Output Controller"

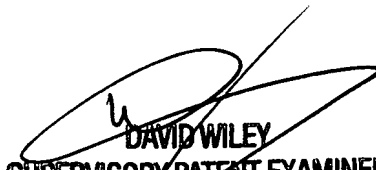
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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Murray whose telephone number is (571)-270-1773. The examiner can normally be reached on Monday - Friday 0800-1700 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571)-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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